

**TENTATIVE RULINGS**

**CIVIL / FAMILY LAW CASE MANAGEMENT CALENDAR**

**For: 3/30/2009 Monday Dept: 1A**

**(Posted 3/26/09)**

Tentative Rulings are proposed as orders to be issued at the hearing and are posted in advance for the convenience of the parties and their counsel. Any party objecting to the tentative ruling should promptly notify the opposing party of the substance of the objection with sufficient time to allow all parties, or their attorneys of record, to appear in person or by telephone at the scheduled hearing. Absent objection, the Court routinely adopts the tentative ruling as posted. Failures to appear, absent an order to appear, are deemed consent to the tentative ruling.

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1. **1:00 PM** Case: CF7973 [M] CACH LLC v HOEKE  
Type: COLLECTIONS Date Filed: 03/24/08  
Priority Info: RULE 3.740  
Event: OSC RE: JUDGMENT  
  
PLNTFF: CACH LLC ATTY: BRACHFELD & ASSOCIATES  
DEFNDT: HOEKE, KIM A  
Service Date/Type: 07/25/08 SUB 00/00/00  
AKA: STUART, KIMBERLY A.

Tentative Ruling: The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 6/29/09.

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2. **1:00 PM** Case: CF8053 [M] TRANSWORLD SYSTEMS v ANDERSON  
Type: COLLECTIONS Date Filed: 05/19/08  
Priority Info: RULE 3.740  
Event: FURTHER CASE MANAGEMENT CONF-CIVIL  
05/25/09 1:00 1A OSC RE: JUDGMENT  
  
PLNTFF: TRANSWORLD SYSTEMS INC ATTY: HOLLINS SCHECHTER  
DBA: CREDIT MANAGEMENT SERVICES  
DEFNDT: ANDERSON, DENISE  
Service Date/Type: 12/12/08 SUB 00/00/00

Tentative Ruling: The matter is not At-Issue and is set for further Case Management. By the next CMC, unless all defendants have filed responsive pleadings, Plaintiff is ordered to file defaults or dismissals of all defendants. The CMC is set for Dept 1A at 1:00 PM on 5/25/09.

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3. 1:00 PM Case: CV34031 [S] STEFANICK v NILSEN  
Type: BREACH OF WARRANTY Date Filed: 09/04/07  
Event: FURTHER CASE MANAGEMENT CONF-CIVIL

PLNTFF: STEFANICK, KELLY ATTY: FOLEY, LAW OFFICES OF KENNETH  
DEFNDT: BLACK CREEK RANCH LLC ATTY: IN PRO PER  
Service Date/Type: 02/12/08 NOT Answer Date: 02/25/08

Tentative Ruling: A corporate party must be represented by an attorney. The next Case Management hearing shall be in Dept. 1A at 1:00PM on 6/29/09.

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4. 1:00 PM Case: CV34283 [S] LANGE v SEGERSTROM  
Type: CIVIL COMPLAINT Date Filed: 12/10/07  
Event: FURTHER CASE MANAGEMENT CONF-CIVIL

PLNTFF: LANGE, JAY ATTY: GAGEN MCCOY MCMAHON KOSS MARK  
DEFNDT: SEGERSTROM REAL ESTATE INC ATTY: TRIEBSCHE & FRAMPTON  
Service Date/Type: 00/00/00 Answer Date: 03/04/08  
DBA: CENTURY 21 LAKE TULLOCH REAL E  
DEFNDT: SCHILLING, ROXANNE ATTY: TRIEBSCHE & FRAMPTON  
Service Date/Type: 00/00/00 Answer Date: 03/04/08

Tentative Ruling: The demurrer to the complaint was sustained without leave to amend. Defendant is directed to submit a Judgment of Dismissal to the court. The next Case Management hearing shall be in Dept. 1A at 1:00PM on 6/29/09.

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5. 1:00 PM Case: CV34400 [S] WILLIS v GRACE  
Type: PI-NON MOTOR VEHICLE Date Filed: 02/05/08  
Event: TRIAL SETTING CONFERENCE

PLNTFF: WILLIS, CORTE ATTY: CHILD & GORDON  
DEFNDT: GRACE, STEPHANIE ATTY: WEISBERG, MICHAEL ESQ  
Service Date/Type: 03/30/08 PER Answer Date: 04/16/08

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in Dept. 1A approximately 120 days out and for Trial in Dept. 1 approximately 150 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 3 day jury trial.

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6. 1:00 PM Case: CV34419 [S] SAYLOR v RICHARDSON  
Type: PI/PD MOTOR VEHICLE Date Filed: 02/13/08  
Event: TRIAL SETTING AFTER ARBITRATION

P/GDN: SAYLOR, JEAN J. ATTY: FOLEY, LAW OFFICES OF KENNETH  
P/MNOR: SAYLOR, KAILYNN ATTY: FOLEY, LAW OFFICES OF KENNETH  
P/MNOR: SAYLOR, CHRISTIAN ATTY: FOLEY, LAW OFFICES OF KENNETH  
DEFNDT: RICHARDSON, CAROL L. ATTY: LAFOLLETTE JOHNSON DEHAAS FES  
Service Date/Type: 00/00/00 Answer Date: 04/09/08

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in Dept. 1A approximately 120 days out and for Trial in Dept. 6 approximately 150 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 5 day jury trial.

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7. 1:00 PM Case: CV34490 [S] HUNTER v RE/MAX  
Type: BREACH OF CONTRACT Date Filed: 03/10/08  
Event: FURTHER CASE MANAGEMENT CONFERENCE/TRIAL  
SETTING

PLNTFF: HUNTER, NATHANAEL ATTY: FOLEY, KENNETH M ESQ  
PLNTFF: HUNTER, NICOLE ATTY: FOLEY, KENNETH M ESQ  
DEFNDT: R E BY JONES INC A CALIFORNIA COR ATTY: NELSON, ROBERT D. ESQ.  
Service Date/Type: 03/25/08 PER Answer Date: 07/03/08  
DBA: RE/MAX IN THE COUNTRY  
DEFNDT: ROGERS, HEDY ATTY: NELSON, ROBERT D. ESQ.  
Service Date/Type: 03/25/08 PER Answer Date: 07/03/08  
DEFNDT: RODRIGUEZ, TRACY ATTY: SCOTT, W. STEPHEN ESQ  
Service Date/Type: 04/08/08 PER Answer Date: 06/18/08  
DEFNDT: SEMORE CONSTRUCTION COMPANY ATTY: FOTOUHI EPPS HILLGER & GILROY  
Service Date/Type: 06/03/08 PER Answer Date: 07/02/08  
DEFNDT: MOORE, CLARK ATTY: FOTOUHI EPPS HILLGER & GILROY  
Service Date/Type: 06/03/08 PER Answer Date: 07/02/08  
DEFNDT: RODRIGUEZ, FELIPE ATTY: SCOTT, W. STEPHEN ESQ  
Service Date/Type: 04/08/08 PER Answer Date: 06/18/08

Tentative Ruling: The case is At-Issue and is set for Settlement Conference in Dept. 1A approximately 120 days out and for Trial in Dept. 6 approximately 150 days out. The clerk's office shall provide a pretrial order with dates and times. Estimated trial length: 5 day jury trial.

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8. 1:00 PM Case: CV34996 [S] BORGEDALEN v COUNTY OF CALAVERAS  
Type: QUIET TITLE Date Filed: 08/15/08  
Event: FURTHER CASE MANAGEMENT CONFERENCE

PLNTFF: BORGEDALEN, DEAN H ATTY: SAGE, WES ESQ  
PLNTFF: BORGEDALEN, DARREN ATTY: SAGE, WES ESQ  
DEFNDT: COUNTY OF CALAVERAS C.C.: CALAVERAS COUNTY COUNSEL  
Service Date/Type: 00/00/00 Answer Date: 10/08/08  
DEFNDT: ALL PERSONS KNOWN

Tentative Ruling: The case is At-Issue and mediation is recommended to the parties. A Trial Setting Conference is set in Dept. 1A at 1:00 PM on 8/10/09.

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9. 1:00 PM Case: CV35389 [S] SUTTON v HARRIS  
Type: NEGLIGENCE Date Filed: 01/16/09  
Event: OSC RE: FILING COMPLIANCE  
\*VACATE IF ALL POS/ANSWERS ARE FILED\*  
06/08/09 1:00 1A CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: SUTTON, EMILIE ATTY: MACOMBER, MICHAEL D. ESQ  
DEFNDT: HARRIS, SUSIE JANE  
DBA: MURPHYS SQUARE MINI MART  
DEFNDT: HUGHES, MICHELLE L  
Service Date/Type: 03/10/09 PER 00/00/00  
DEFNDT: WILLIS, FAWN M  
Service Date/Type: 03/10/09 PER 00/00/00  
DEFNDT: MURPHYS SQUARE MINIMART LLC

Tentative Ruling: Plaintiff has not filed a proper Proof of Service as to all defendants. (Murphys Square LLC) The OSC is continued over to the previously scheduled CMC time and date.

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10. 1:00 PM Case: CV35398 [S] WELLS FARGO BANK v IRBY ANDERSON  
Type: BREACH OF CONTRACT Date Filed: 01/22/09  
Event: OSC RE: FILING COMPLIANCE  
\*VACATE IF ALL POS/ANSWERS ARE FILED\*  
06/01/09 1:00 1A CASE MANAGEMENT CONFERENCE-CIVIL

PLNTFF: WELLS FARBO BANK NEVADA NA A NATI ATTY: REESE LAW GROUP  
DEFNDT: ANDERSON, DEBRA J IRBY

Tentative Ruling: Plaintiff has not filed a proper Proof of Service as to all defendants. The OSC is continued over to the previously scheduled CMC time and date.

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11. **2:00 PM** Case: CV31639 [S] FOLENDORF v FOLENDORF  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 05/02/05  
Priority Info: MARITAL STATUS ENDS 1/25/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: FOLENDORF, CHERYL D ATTY: RENO, ROBIN L. ESQ  
ASSOC: BORTON PETRINI LLP  
RESP: FOLENDORF, TAD ATTY: ZALKIND, STEPHEN R. ESQ  
Service Date/Type: 00/00/00 Answer Date: 05/18/05

Tentative Ruling: The parties represent a settlement is pending. Respondent is ordered to serve and file a Final Declaration of Disclosure (FL-141) prior to the next hearing. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 8/10/09.

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12. 2:00 PM Case: CV34120 [S] PEANG v SNEED III  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 10/03/07  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: PEANG, TEPI ATTY: IN PRO PER  
RESP: SNEED, VERNON III  
Service Date/Type: 10/15/07 PER 00/00/00

Tentative Ruling: The Default of the respondent has been entered. Petitioner must go to the clerk's filing window to schedule a "Default Prove-Up" hearing. Petitioner must attend that brief hearing and submit the Judgment (FL-180) and Notice of Judgment (FL-190) papers. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 6/29/09.

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13. 2:00 PM Case: CV34493 [S] ADAMS v ADAMS  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 03/12/08  
Event: FURTHER CASE MANAGEMENT CONF RE JUDGMENT  
PETITIONER IS ORDERED PRESENT

Related cases NOT on this calendar: CV31609 , CV31485 ,  
PETNR: ADAMS, STEPHANIE ATTY: IN PRO PER  
NKA: STEWART, STEPHANIE  
RESP: ADAMS, MATTHEW  
Service Date/Type: 03/15/08 PER 00/00/00

Tentative Ruling: Child custody has been determined and marital status has been terminated. The matter is set for a Default Prove Up hearing on the issue of property division and entry of judgment in Department 1 at 11:00 A.M. on 4/21/09. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 6/29/09.

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14. 2:00 PM Case: CV34615 [S] IVANETS v DOUBINSKI  
Type: LEGAL SEPARATION WITHOUT MINOR Date Filed: 04/23/08  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: IVANETS, SVETLANA ATTY: IN PRO PER  
RESP: DOUBINSKI, LEONID  
Service Date/Type: 06/23/08 PER 00/00/00

Tentative Ruling: There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 1:30 PM on 9/28/09.

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15. 2:00 PM Case: CV34633 [S] THREET v THREET  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 04/24/08  
Event: FURTHER CASE MANAGEMENT CONF-FAMILY LAW

PETNR: THREET, TAMARA ATTY: TRIFILO, JOHN J. ESQ  
J/PRTY: COUNTY OF CALAVERAS D.A.: CENTRAL SIERRA CHILD SUPPORT  
RESP: THREET, SHAWN  
Service Date/Type: 06/02/08 PER 00/00/00

Tentative Ruling: Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 1:30 PM on 6/29/09.

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16. 2:00 PM Case: CV35009 [S] KEE v KEE  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 08/20/08  
Event: FURTHER CASE MANAGEMENT CONFERENCE

PETNR: KEE, CHRISTOPHER W ATTY: WEISBERG, MICHAEL ESQ  
RESP: KEE, LAURA J  
Service Date/Type: 08/26/08 PER 00/00/00

Tentative Ruling: Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. If a final Judgment (FL-180) on all issues is on file prior to the next Case Management hearing the Case Management hearing will be vacated. After review of the file, the matter is set for a further Case Management Conference in Dept. 1A at 1:30 PM on 6/29/09.

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17. 2:00 PM Case: CV35260 [S] GILBERT v GILBERT  
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 11/24/08  
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: GILBERT, LYNN DEE SUE ATTY: IN PRO PER  
RESP: GILBERT, JAMES LARRY  
Service Date/Type: 02/27/09 PER 00/00/00

Tentative Ruling: Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 1:30 PM on 6/29/09.

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18. 2:00 PM Case: CV35268 [S] LAUGHLIN v LAUGHLIN  
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 11/26/08  
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW

PETNR: LAUGHLIN, LARONDA ATTY: LOVETT, JUDY A. ESQ  
RESP: LAUGHLIN, RONALD SCOTT  
Service Date/Type: 12/09/08 PER 00/00/00

Tentative Ruling: Petitioner is ordered to serve and file a Preliminary Declaration of Disclosure (FL-141) prior to the next hearing. There is Proof of Service but no Response (FL-120) or Default (FL-165). Prior to the next CMC, unless a Response is filed, Petitioner must file the Request for Default or dismiss the action. The CMC is set for Dept 1A at 1:30 PM on 6/29/09.

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19. 2:00 PM Case: CV35270 [S] AZEVEDO v GAMBILL  
Type: ESTABLISH PARENTAL RELATIONSHI Date Filed: 11/26/08  
Priority Info: CONFIDENTIAL  
Event: CASE MANAGEMENT CONFERENCE-FAMILY LAW  
04/21/09 9:00 1 PETNR'S OSC RE CUSTODY, VISITATION,  
INJUNCTIVE ORDER; RETURN ON MEDIATION

PETNR: AZEVEDO, MIKIALA ATTY: VALEN, LAW OFFICES OF MARK  
RESP: GAMBILL, BRYAN ATTY: BRADSHAW, JANET L ESQ  
Service Date/Type: 12/04/08 PER Answer Date: 01/05/09

Tentative Ruling: The matter is set for Settlement and Trial Setting Conference (See Local Rule 5.9(b)) with Settlement Conference Statements due 5 court days prior to hearing at 2:30 PM in Dept. 1A on 6/1/09.

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20. **3:00 PM** Case: CV31624 [S] FUCHSEL v FUCHSEL  
Type: DISSOLUTION WITHOUT MINOR CHIL Date Filed: 04/25/05  
Priority Info: DEFAULT SET ASIDE 9-25-07  
Event: CONTINUED SETTLEMENT CONFERENCE  
RESPONDENT MAY BE ON PHONE STANDBY

PETNR: FUCHSEL, CHARLES ATTY: CHAVEZ-OCHOA LAW OFFICES INC.  
RESP: FUCHSEL, BETTE LYNN ATTY: YANKOVSKY, KRISTINE ESQ  
Service Date/Type: 10/12/05 PUB Answer Date: 09/26/07  
CLAMNT: CALIFORNIA PUBLIC EMPLOYEE'S RETI  
Service Date/Type: 05/23/08 MAI Answer Date: 06/10/08

Tentative Ruling: There is no Tentative Ruling on this case. The parties, and their legal counsel if represented, are ordered to appear.

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21. 3:00 PM Case: CV33416 [S] FARMER v FARMER  
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 02/07/07  
Event: SETTLEMENT CONFERENCE-REMAINING ISSUES  
05/13/09 9:00 1 COURT TRIAL - REMAINING ISSUES  
HON. JOHN E. MARTIN  
06/01/09 2:00 1A FURTHER CASE MANAGEMENT CONF-JUDGMENT

Related cases NOT on this calendar: CV33918 , CV33665 , SC5942 ,  
PETNR: FARMER, STEPHANIE A ATTY: GEE, DOUGLAS M. ESQ  
RESP: FARMER, GLEN D JR ATTY: SEATON, JEFFREY D. ESQ  
Service Date/Type: 02/13/07 PRS Answer Date: 02/07/07

Tentative Ruling: There is no Tentative Ruling on this case. The parties, and their legal counsel if represented, are ordered to appear.